

SENATE BILL REPORT

SB 5081

As of January 15, 2015

Title: An act relating to increasing transparency of state government expenditures related to state employees, state vendors and other public entities.

Brief Description: Increasing transparency of state government expenditures related to state employees, state vendors and other public entities.

Sponsors: Senators Miloscia, Hill, Bailey, Becker and Dammeier.

Brief History:

Committee Activity: Ways & Means: 1/13/15.

SENATE COMMITTEE ON WAYS & MEANS

Staff: Julie Murray (786-7711)

Background: A collective bargaining agreement (CBA) is a legal contract between employers and employees which regulates the terms and conditions of employees in their workplace, their duties, and the duties of the employer. The Office of Financial Management (OFM) is the Governor's designee for negotiating CBAs with exclusive bargaining representatives of state agency employees. For institutions of higher education, the respective governing board of each institution or its designee, which may be the Governor's designee, negotiates CBAs with the exclusive bargaining representatives of its employees.

OFM's Facilities Oversight Program was established by the Legislature in 2007 to oversee real estate procurement and management. OFM must maintain an inventory system to account for all owned or leased facilities utilized by state government, which is updated annually.

The Department of Enterprise Services was established in 2011 and is responsible for policy development and oversight of the procurement of goods and services by all state agencies.

The Legislative Evaluation and Accountability Program (LEAP) Committee was established in 1977 to be the Legislature's independent source of information and technology. LEAP provides fiscal information and technology for developing budgets and communicating budget decisions, and tracking revenue, expenditure, and staffing activity.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: OFM must maintain a website to post copies of all CBAs requiring funding by the Legislature. CBAs must be posted within 60 days of implementation. Additionally OFM must create a summary of each CBA to post on the website.

DES must maintain websites of:

- all sole source contracts proposed by state agencies to enable inspection prior to entering into the contract;
- all current contract opportunities on the state's enterprise vendor registration and bid notification system without requiring registration as a vendor or other entity within the electronic system;
- all contractors currently debarred by the director; and
- a list of all contracts entered into or renewed by state agencies during the prior fiscal year.

LEAP must incorporate OFM's facility inventory into the state expenditure information website. LEAP, in collaboration with DES, must establish a state contracting website directing the public to existing databases and websites for current contracting opportunities, sole source contracts, debarred contractors, the inventory of state agency contracts entered into or renewed, and other public contracting information.

The Administrative Office of the Courts, Secretary of State, and selected state agencies must provide to LEAP by September 30 of each year the amount of state funds distributed to local governments and other entities for certain programs and expenditures.

Appropriation: None.

Fiscal Note: Requested on January 13, 2015.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The public has an increased expectation of available data. This bill will improve public input and trust. We support giving decision makers increased and easier access to data on government spending. There is particularly support for increased disclosure of sole source contract proposals. While all of this information is theoretically public, you need to make a request for the information, wait for a response, and pay for copies. This bill will be helpful by eliminating that process to obtain the information in the bill.

OTHER: There are concerns with subsection (2) of section 1 that relates to collective bargaining agreement summaries. The summaries may contain information outside the agreement or not subject to bargaining. This could be a large administrative burden. The dues deduction portion is a concern. We do not know how items will be described. We do not want information about specific employees disclosed in the summaries.

Persons Testifying: PRO: Paul Guppy, WA Policy Center; Amber Carter, Assn. of WA Business; Arthur West, citizen.

OTHER: Alia Griffing, WA Federation of State Employees; Vince Oliveri, Legislative Director, Professional and Technical Employees Local 17.